

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

BRENDA N.,¹

Plaintiff,

v.

Civil Action No. 3:24cv30

DELAND DUDEK,²
Acting Commissioner of
Social Security,

Defendant.

ORDER

Having reviewed the REPORT AND RECOMMENDATION of the Magistrate Judge entered herein on January 28, 2025 (ECF No. 17), the PLAINTIFF'S OBJECTIONS TO THE REPORT AND RECOMMENDATION (ECF No. 18), the DEFENDANT'S RESPONSE TO PLAINTIFF'S OBJECTIONS TO THE REPORT AND RECOMMENDATION OF THE MAGISTRATE JUDGE (ECF No. 19), and the time for the plaintiff to file a timely reply having expired, and no timely reply having been filed, and having considered the record and the REPORT AND RECOMMENDATION (ECF No. 17) and finding no error therein, it is hereby ORDERED that:

¹ The Committee on Court Administration and Case Management of the Judicial Conference of the United States has recommended that, due to significant privacy concerns in social security cases, federal courts should refer to claimants only by their first names and last initials.

² Deland Dudek became the Acting Commissioner of Social Security in February 2025. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, he has been substituted for the former Commissioner as Defendant in this action. 42 U.S.C. § 405(g).

(1) The PLAINTIFF'S OBJECTIONS TO THE REPORT AND RECOMMENDATION (ECF No. 18) are overruled; and

(2) The REPORT AND RECOMMENDATION of the Magistrate Judge (ECF No. 17) is adopted on the basis of the reasoning of the REPORT AND RECOMMENDATION; and

(3) The Plaintiff's MOTION FOR SUMMARY JUDGMENT (ECF No. 12) is denied; and

(4) The DEFENDANT'S MOTION FOR SUMMARY JUDGMENT (ECF No. 15) is granted; and

(5) The Commissioner's decision is affirmed.

It is further ORDERED that the issues are adequately addressed by the briefs and oral argument would not materially aid the decisional process.

It is so ORDERED.

_____/s/ REP_____
Robert E. Payne
Senior United States District Judge

Richmond, Virginia
Date: March 31, 2025